

1 Sven T. Nylan, (admitted *pro hac vice*)
2 SNylan@beneschlaw.com
3 Benesch Friedlander Coplan & Aronoff LLP
4 71 South Wacker Drive, Suite 1600,
5 Chicago, IL 60606-4637
6 Telephone: (312) 624-6388
7 Facsimile: (312) 767-9192

Honorable Frederick P. Corbit
Chapter 11

6 Shelley Ripley, WSBA# 28901
7 SRipley@hawleytroxell.com
8 HAWLEY TROXELL ENNIS & HAWLEY LLP
9 422 West Riverside Avenue, Suite 1100
10 Spokane, Washington 99201-0300
11 Telephone: (509) 755-2067
12 Facsimile: (509) 213-8694

11 UNITED STATES BANKRUPTCY COURT
12 EASTERN DISTRICT OF WASHINGTON

13 In Re:

No. 09-06194-FPC11

14
15 LLS AMERICA, LLC, et al.

FINAL DECREE CLOSING CASE
AND GRANTING RELATED
RELIEF

16
17 Debtors.¹

18 This matter came before the Court upon the Liquidating Trustee's Motion for
19 Final Decree Closing Case and Related Relief (the "Motion"). The Court considered
20
21

22 ¹ Please refer to the Order Granting Trustee's Motion for Substantive Consolidation (ECF No.
23 771) for the list of debtor-entities.

1 the Motion, the declaration of the Liquidating Trustee (the “Trustee”) in support
2 thereof, *Chapter 11 Trustee’s and Official Committee of Unsecured Creditors’*
3 *Second Modified Plan of Liquidation* (ECF No. 1403-1, the “Plan”), the order
4 confirming the Plan (ECF No. 1403), the agreement establishing the liquidating trust
5 (the “Trust”) pursuant to the Plan (ECF No. 1429), any responses or objections to
6 the Motion, and the records and pleadings in the above-entitled case (the “Case”).
7 The Court finds that proper notice of the Motion was given, that there were no
8 objections to the Motion or that the Court has resolved any objections to the Motion
9 as embodied herein, that pursuant to 11 U.S.C. §350(a), FRBP 3022 and other
10 applicable law the Case has been fully administered as set forth in the Motion, that
11 good cause exists to terminate the Trust, close the Case, and grant the requested
12 related relief in the Motion on terms set forth herein. NOW THEREFORE,
13

14
15 IT IS HEREBY ADJUDGED, ORDERED AND DECREED AS FOLLOW:

- 16 1. The relief requested in the Motion is granted in all respects.
- 17 2. The Trust is terminated and the case closed effective upon the date the
18 Trustee files a declaration with the Court certifying that (i) that final distribution to
19 beneficiaries was made and that the Trust’s trust account has a zero balance; or (ii)
20 in accordance with Article VI D.3. of the Plan to the extent the Trust has any
21 unclaimed funds one hundred twenty (120) days after final distribution, the Trustee
22
23

1 donated any such funds to an appropriate Spokane area charitable organization after
2 determining that they were insufficient to justify any further distribution.

3 3. Notice of future actions or requests for relief of the Trust, if any, shall
4 be limited to beneficiaries of the Trust.

5 4. Entry of this Final Decree is without prejudice to the rights of the
6 Trustee to seek an order to reopen the Case for cause.
7

8 ///END OF ORDER///
9

10 BENESCH FRIEDLANDER COPLAN &
11 ARONOFF LLP

12 By /s/ Sven T. Nylén
13 Sven T. Nylén, Admitted Pro Hac Vice
14 Attorneys for Liquidating Trustee

15 HAWLEY TROXELL ENNIS & HAWLEY LLP

16 By /s/ Shelley N. Ripley
17 Shelley N. Ripley, WSBA No. 28901
18 Attorneys for Liquidating Trustee
19
20
21
22
23

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

FINAL DECREE CLOSING CASE AND
GRANTING RELATED RELIEF - 4

HAWLEY TROXELL ENNIS & HAWLEY LLP
422 W. Riverside Avenue, Suite 1100
Spokane, Washington 99201-0300
509.624.5265

60885.0001.16019219.1